App. F. IX-4

Previous References.

1947-48
(S.D)
A

File No. 15-47
Serial Nos. 8, 9

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two

Part B for

Pachowe

Mar. ch 48/

SUBJECT

Notice of suit by Mr K.K. Raghavendra Rao
Brahmin Valley Coorg.

Notes:— Pl—47
Coorg — Pl—7

To. The D. F.S in Mysore
Copy to Coorg

S. D. 6688—9/A 15-47—9 dt 6.3.48.

Rly. Sharma Rao
14.4.48

Notice of Suit against Govt issued by Mr. K. R. Raghavendra Rao Brahmin Valley Karwara Coorg.

4237

A - 47

Memo dated the 12th January 1948 from the Director of Food Supplies in Mysore, Bangalore forwarding a copy of letter on A1. 2457/47-48 dated the 12th January 1948 addressed to the ~~Director of Food Supplies~~ Secretary to the Govt Law Deptt furnishing report on the above notice.

1) Submitted for perusal.

2) The Contention of Mr K Raghavendra Rao is that a strip of land belonging to him and his uncle lying on the high road which goes from Sudlapet to Arkalgud has been trespassed by the officials of the Food Deptt. Govt of Mysore by erecting a temporary Shed in Cumrecha with the transport of food grains on the Kudlur bridge and that a compensation of Rs 110-12-0 by way of rent has to be paid by Mysore Govt.

3) The Director of F.S. has furnished sufficient proof to show that the Contention of the Petitioners that the land has been trespassed is in-correct.

4) As regards payment of rent the Director has stated that action is being taken by the Deputy Commissioner Mysore District for settlement of the petitioners claim in Consultation with the Commissioner of Coorg

5) The report is awaited

Sec 24/1/1948/1

Notice of meeting [illegible] Kurnool by the Kurnool
& Kurnool Bachupalli Ry, Nandyala, Cuddapah

6) for perusal

Ys
30/1.

Food Secy } Pl
30/1/48

1810
30.1.48

7) Chief Minister) Ys/30/1.

Kll
3/2

Ys
3/2/48

Ys/
3/2

Secy A
for
3/2

Memo received the 1st May 1948 from the Director of Food
& Civil Supplies Coy. no. Ji-4459, dt. 2 dt. the
Kurnool Bachupalli Ry to the Govt. how to deal with the proposal
of Compensation of Rs 60/- p.A. for grant of temporary permit to
erect rice mill & Paddy cum & crushing Machine & pump set
at Kurnool Bridge and Compensation for the years 1948 & 1967.

8) Submitted with reference to para 5 of the notes.

It is stated that Mr K. Sr. Rajeswara Rao is agreeable to receive a Compensation of Rs 60/- per annum for permitting the Depose Govt to put up a temporary shed on his land in Kurnool village near Kurnool Bridge.

9) The Director had sent up two proposals separately requesting sanction for one Construction of a temporary shed near the Kurnool Bridge this year also at an estimated Cost of Rs 500/- This file was submitted to the Chief minister on 18.2.48. with Diary no. 4759. The present proposal for payment of a rent of Rs 60/- p.A. to Mr. Rajeswara Rao for permitting him Govt to put up a shed & his land in Kurnool village may be considered in the above said proposal.

E.

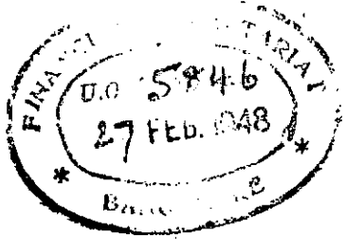
Notice of suit against Govt issued by Sri Sri Rajivarendrathirtha — Compensation to be paid in connection with the construction of a temporary Bund in his land in Sudlur Village.

10) For orders whether this file may be sent to the P.A to the Chief minister to put up with the main file

Sd/s 25/2 Draft/r

11) The present proposal of the D.F.S is to pay a ground rent of Rs 60/= per annum. This sum has been arrived at by the Chief Commissioner of Coorg in Consultation with the party. The proposal may be sanctioned with financial concurrence. It would avoid the threatened suit and save unnecessary expenditure

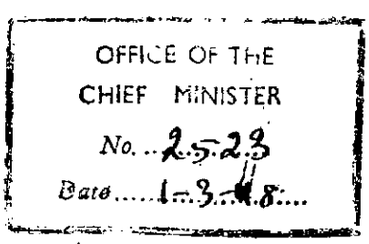
GK 26/2



Food Secy 12) May be forwarded

Chief Minister through Jud. Secy w/c.

27/2/48 GK 27/2



13) 29.2.48

14) KCR 2/3

HK 29/2/48

HK 3/3/48 28/-

GK 3/3

15) Draft G.O. is put up for approval

Sd/s 4/3 Rly/3 Issue

Rly Comm: no 3327 GK 5/3
Rly Secy has agreed
Draft Govt Order

Sd/s 5/3 The fair copies in the file are unsigned. Hence returned

10/3 Sd/d: Signed copies are put up. This will now be sent to the H Branch for necessary action

Sd/s 10.3.48 Rly II/3 (Rly Branch)

4

C. F. No. 46] GOVERNMENT OF MYSORE

A 15-47-8

No. A1-2457/47-8. OFFICE OF the Director of Food Supplies,
Encls. in Mysore, Bangalore,

Date 12th January 1948.

To

The Secretary
to the Government of Mysore,
Law Department, BANGALORE.

Sir,

Notice of suit against Government issued by Mr. K.K.Raghavendra Rao, Brahmin Valley, Mercara, Coorg.

15 JAN 1948

Ref:- 2089

With reference to your letter No.E.2089/Law-114-47-2, dated 10-10-1947, forwarding copy of the above suit in duplicate for a detailed report in the matter, I have the honour to state that during January 1946, a temporary shed was constructed near the Kudlur Bridge in Coorg with the permission of the Chief Commissioner of Coorg Mercara, to serve as a clearence depot for the paddy which was being transported from North Coorg centres to the rice mills in Hassan, since the Kudlur Bridge was out of order. Thus the contention of the Petitioner that his land has been trespassed is not correct.

2. The owner did not put forth either during January 1946 or till September 1947 any claims for rent or compensation and there was no mention of it either, in the Chief Commissioner's letter. No amount could therefore be paid to him. The Deputy Commissioner, Mysore, is reported to be taking necessary action to settle the matter of payment of rent and compensation if any, to the Petitioner, in consultation with the Chief Commissioner of Coorg. On receipt of a reply from the Deputy Commissioner, Mysore, a further detailed report will be made to Government.

3. A copy of letter No.CS.3-CG.3/47-8, dated 18-12-47

pto.

dated 18-12-1947 together with copies of its enclosures and copy of letter No.CS.3-CC.3/47, dated 2-1-48 and its enclosure received from the Deputy Commissioner, Mysore, are herewith enclosed for favour of information of Government.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/-x. [illegible],

Director of Food Supplies.

[illegible] will be [illegible] with [illegible] to the Secretary to Government, Food & Civil Supplies Department, Bangalore, for favour of information.

Copy of the above is also sent with [illegible] to the Deputy Commissioner, [illegible], for [illegible] with reference to his letter No. [illegible] dated [illegible], to [illegible] and reply in this matter. The result of action taken may kindly be intimated to us.

for Director of Food Supplies. 18/1/48

Notice dated 15th September 1947 from Mr. K.K. Raghavendra Rao, B.A., B.L., Brahmin Valley, Mercara, Coorg, to the Chief Secretary to the Government of Mysore, Bangalore:

****

1. In or about the month of July 1946, some officials of the Government of Mysore, presumably those belonging to the Food Department, put up a Bamboo shed for the purpose of storing paddy collected from areas round-about in a strip of land lying by the high-road, which goes from Kodlipet inside Coorg to Arkalgud inside Mysore. The said strip of land is about 3-miles from Kodlipet and inside Coorg Province and belongs to me and my uncle, Mr. K.NarasimhaMurti jointly and stands in his name. This action on the part of these officials was without the knowledge or permission of either of us, myself and my uncle, the joint-owners of the said strip of land. The tenant was at that time absent from the place and later, when he objected, compensation was promised, but was never paid. This strip of land was wet and yielded 1½-Pallas of Rice every year.

Accordingly, I, on behalf of myself and my uncle, the said Mr.K. Narasimhamurthy, pray that compensation for this occupation be kindly paid as soon as possible and within the 30th of September '47, on the basis of the Schedule annexed hereunto.

2. Again, during the current year, the same officials have put up a similar construction in the said lands without our permission and in spite of the tenant's protests.

It is, therefore, requested that in view of the fact that this encroachment has prevented us from sowing seeds in the said lands, compensation for the loss of this year's crop and also rent of occupation till now, may kindly be paid over to us on the basis of the said Schedule annexed hereunto within the 30th of September 1947.

3. It is further requested that the following position will kindly be noted, namely, that the said officials are no more

P. T. O.

no more than trespassers since they acted without the permission of those whose permission was absolutely essential in this connection and are therefore, liable to be proceeded against for damages for unlawful entry and trespass, irrespective of their liability and the liability of the Government of Mysore, to compensate us for the loss we have suffered, on the basis of the said Schedule The materials comprising and contained in the shed are liable, at any moment, and without notice to the said officials to the Government of Mysore, to be confiscated by us without any a liability on our part to account in any manner to the said officials or the Government of Mysore, who, it is again emphasised, are mere trespassers.

4. It is accordingly finally prayed that the Government of Mysore will arrange for the compensation claimed as shown in the said Schedule within the 30th of September 1947, failing which, the shed will have to be confiscated.

THE SCHEDULE:

1.	Rent for Occupation for one Year at a monthly Rate of Rs.5/-		Rs.60- 0-0
2.	Price of 1½-Pallas of Paddy at the rate Allowed by the Govt: of the Coorg Province		15- 0-0
3.	Interest at 6% per annum on the above total sum of Rs.75/- for 1-year & 2-months ..		5- 4-0
	Total ...		Rs.80- 4-0
4.	Price of 1½-Pallas of Paddy at the rate allowed by the Coorg Govt: for loss suffered during 1947-48 Agricultural Season ...	Rs.15-0-0	
5.	Interest at 6% per annum on the said sum for 6-months ...	0-8-0	
6.	Rent for occupation for 3-months	15-0-0	.. 30- 8-0
	Grand Total ...		Rs.110-12-0

"COPY"

C. B. Ramaiah

Secretary to Government
Law Department.

Letter No.C.S.3-CG.3/47-48, dated 18th December 1947, from the Deputy Commissioner, Mysore District, Mysore, to the Director of Food Supplies in Mysore, Bangalore.

Subj:-Notice of suit issued by Mr.K.Raghavendra Rao,B.A., B.L., Brahmin Valley, Mercara, to Government of Mysore.

With reference to your memo No.A1-50/47, dated 16-10-47 and 4-12-47 calling for report regarding the above, I have the honour to state that during January 1946,Coorg paddy from North Coorg centres had been allotted to be moved to Hassan District rice mills in accordance with the proceedings with the Government of Coorg, and the Government of Mysore. The paddy bags hadto be transported through lorries via Kudlur Bridge which is the only route between North Coorg and Hassan District. As the Kudlur Bridge situated in Coorg Province was damaged and was declared irrepairable and unfit for traffic, the Chief Commissioner of Coorg was pleased to suggest to have a temporary shed constructed near the Kudlur Bridge to serve as a clearance depot to receive the paddy bags from lorries coming from North Coorg centres and carry them by head loads to the lorries waiting on the otherside of the Bridge. As there was no other alternative action was taken to have a temporary structure near the Kudlur Bridge in accordance with your letter No.A1-55/45-46 dated 10-1-1946. It is seen from copies of the marginally noted references enclosed herewith that the spot where the shed was constructed and the plan and construction were inspected by theDeputy Commissioner, Hassan District and the Assistant Engineer, Holenarasipur Sub Division and found to be suitable and quite nearer to the damaged Bridge. Thereupon the Mysore Civil Supplies Inspector in Coorg has reported to the Chief Commissioner soliciting approval to get the shed erected in the Hiduveli land and has also solicited orders whether any rent or compensation will have to be paid to the owner for appropriating the fallow land. The Chief Commissioner of Coorg was then pleased to accord sanction to have a temporary shed put up on the private land under reference and has issued orders to the Subedar of North Coorg Taluk to intimate the owner about the temporary construction of the shed. A copy of the Chief Commissioner's letter No.R.Dis.158/45, dated 11-2-1946 is enclosed for kind perusal and no mention is made about the payment of rent therein. Thus the allegation made in the notice that the land has been tresspassed without permission is not correct and the owner also did not put forth any claims either during January 1946 or subsequently till September 1947.

1. Report dated 10-2-1946 from the then Mysore Civil Supplies Inspector in Coorg to the Chief Commissioner of Coorg, Mercara.
2. Report No.C.S.27/45-46, dated 11-2-46 from the Civil Supplies Inspector in Coorg to Deputy Commissioner, Hassan.

As the Bridge is not repaied even during 1947 by the Coorg Government, the same procedure of having a temporary shed erected near the Bridge has been followed during this timealso. The claims of the petitioner for rent and crop compensation will have to be settled and paid in consultation with the Coorg Administration and a reference has been made this day to the Chief Commissioner of Coorg in the matter. The matter will be settled on receipt of peply from the Chief Commissioner of Coorg. In the mean-while, the temporary structure will be demolished and the party has been also intimated in the matter(vide copy of letter enclosed)

Copy of report No.CS.27 dated 10-2-1946, from the Mysore Civil Supplies Inspector in Coorg, to the Chief Commissioner of Coorg, Mercara.

Subj:-Kind permission is put up a temporary shed on the hiduvali land on the right side of the Kudlur Bridge.

I beg to submit that you have been pleased to permit erection of a temporary shed at Kudlur Bridge to serve the pur-pose of a clearance depot as the Kudlur Bridge is declared to be unfit for lorry traffic. As there is no Government banjar wash land nearby the Assistant Engineer has selected a private land and has commenced putting of a shed in anticipation of your kind orders. The hiduvalidar may kindly be intimated through theSubedar, North Coorg that this shed is only a temporary one and will be removed after 2 months. If the party insists on payment of reasonable rent for two months, the Deputy Commissioner Hassan District is agreeable to pay the same. Further I beg to submit that the putting up of a shed is only for the purposeof stocking paddy bags and removing the same by carts or by lorries from the other side of the bridge and it does not affect the interest of the owner in any way. The batches of carts will carry 60 bags at a time so as to enable the Coorg Police at the toll gate to effect proper check of the consignment.

Copy of report No.27/45-46, dated 11-2-46 from the Mysore Civil Supplies Inspector in Coorg, to theDeputy Commissioner, Hassan District.

I beg to submit that I hae interviewed the Chief Commi-ssioner of Coorg at Mercara on 11-2-1946 and he has passed orders permitting erection of a temporary shed in the hiduvali land near Kudlur Bridge kindly selected by you. He does not want any rent being paid to the hiduvalidar. As per mill owners' agreement as they take delivery of Coorg paddy at the Coorg delivery centres from the Mysore Inspectors, it may kindly be imposed as one of the conditions of the agreement that they should pay final acknowledgements for the receipt of paddy at the Kudlur Clearance depot by deputing their representative for watch and ward and maintain correct accounts in the prescribed form given by me. The shed may kindly be ordered so as to accommodate about 600 bags of paddy.

Letter No.CS.3.CG.3/47, dated 2nd January 1948, from the Deputy Commissioner, Mysore District, Mysore, to the Director of Food Supplies in Mysore, Bangalore.

Subj:-Notice of suit issued to Government of Mysore by Mr.K.Raghavendra Rao, Brahmin Valley, Mercara, Coorg.

As desired in your letter No.A1-2457/47-48, dated 26-12-47 regarding the above, I have the honour to enclose herewith a copy of letter No.1463/R.Dis.158/45, dated 11-2-1946 received from the Chief Commissioner of Coorg, Mercara, approving the construction of the temporary shed under reference near the Kudlur Bridge.

Copy of letter No.1467/R.Dis.158/45, dated 11-2-1946, from the Chief Commissioner of Coorg,Mercara,to the Subedar, North Coorg Taluk, Somwarpet, and copy to the Deputy Commissioner, Mysore.

Sub:-Construction of a temporary shed at Kudlur bridge for stocking Coorg paddy for transportation to Hassan District.

Ref:-This Office letter No.1296, dated 6th February 1946, to theDeputy Commissioner, Hassan and letter No.27/45/46, dated 10th February 1946 from the Civil Supplies Inspector, Coorg Rice and Paddy purchases, Mysore.

The Civil Supplies Inspector, Coorg paddy and rice purchases, Mysore(Camp) Mercara, has represented that for want of Government land close to the Bridge it has been proposed to have the temporary shed put up on private land but that the owner of the land objects to the putting up of the shed. The Subedar, will therefore, inform the owner of the land that the proposed shed is only a temporary structure and will be removed as soon as the paddy allotted to Mysore during the current year is removed.

"C O P Y"

V Ramchandra

For Director of Food Supplies. 18/1/48

A1-2457/47-8

18th February. 8

SECRET

28 FEB 1948

5005

The

The Secretary to Government,
Law Department,
Bangalore.

SUBJECT: Notice of suit against Government issued by Mr.K.K.Raghavendra Rao, Brahmin Valley, Mercara, Coorg

In continuation of my letter of even No. dated 13.1.48, on the above subject, I have the honour to enclose herewith a copy of letter No. CS3-566/47-8, dated 12.2.1948, received from the Deputy Commissioner, Mysore, stating that the Chief Commissioner of Coorg has consulted Mr.K.K.Raghavendra Rao, Mercara who is agreeable to receive a compensation of Rs.60/- per annum for permitting the Mysore Government to put up a temporary shed on his land in Kudlur Village to facilitate the quick transport of paddy from Coorg to Hassan. Accordingly, the rent (compensation) for the years 1946 and 1947 at the rate of Rs.60/- per annum which is also reasonable, has to be paid to Mr. Raghavendra Rao. Sanction of Government in the Administrative Branch is being obtained for the payment of rent for the year 1948 also.

I have the honour to be,
Sir,
Your most obedient servant,
sd/ K. Guru Dutt
Director of Food Supplies.

Enclosure:
Letter No.CS3-566/47-8 dated 12th Feb.48 from the Deputy Commissioner, Mysore to the Director of Food Supplies in Mysore, Bangalore.

Subject: Notice of suit against Govt.issued by Mr.K.Raghavendra Rao, Brahmin Valley, Mercara, Coorg.

With reference to your memo forwarding copy of your letter No.A1-2457/47-8 dated 12.1.48 addressed to the Secretary to Govt., Law Department and calling for further report re: the above, I have the honour to state that the Chief Commissioner of Coorg who was consulted in the matter intimates that a rent of Rs.60/- per year is reasonable and that the owner of the land is agreeable to the same. A copy of letter No.1489/R.Dis.164A/47

dated 3.2.48 is enclosed for kind perusal. As the land under reference is being occupied during the season since 1946 onwards and is also required this year for putting up the shed temporarily, I recommend that the owner of the land may be paid a compensation of Rs.60/- per year as fixed by the Chief Commissioner. I therefore request you kindly to obtain early sanction of Government to the payment of compensation at Rs.60/- per year from 1946 onwards to Mr.Raghavendra Rao. As the construction or removal of the shed is being done under the instructions of the Deputy Commissioner, Hassan District, he may be kindly requested to settle the claims of Mr.Raghavendra Rao accordingly.

Copy of letter No.1489/R.Dis.154/A.47 dated 6th Feb.48 from the Chief Commissioner of Coorg, Mercara to the Deputy Commissioner, Mysore District, Mysore.

Sub: Notice of suit issued by Mr.K.Raghavendra Rao, B.A., B.L., Mercara - Construction of a temporary shed near Kudlur Bridge.

--

Reference: Your letter No.CS3-C07/47-8 dated 13th Dec.47 and D.O.letter No.CS3.C02/47-8 dated 15th January 1948.

--

Mr.Raghavendra Rao has no objection to the construction of a temporary shed on his land in Kudlur village as desired by you provided a compensation of Rs.60/- (Rupees sixty) per year is paid to him. He demands the compensation for the years 1946 and 1947 also. It is considered that the compensation of Rs.60/- per year is reasonable.

-Copies-

Copy together with a copy of letter from the Deputy Commissioner, Mysore is forwarded with compliments to the Secretary to Government, Food and Civil Supplies Department, Bangalore for information in continuation of this office letter No.M2-20/47-8 dated....2.48 requesting sanction of Government for the construction of a temporary shed near the Kudlur bridge at an estimated cost of Rs.500/- Sanction of Government may also be kindly obtained for payment of rent of Rs.60/- per annum to Mr. K.Raghavendra Rao, for permitting the Government to put up a shed in his land in Kudlur village.

2.Copy with compliments to the Deputy Commissioner, Mysore for information.

Director of Food Supplies.

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

TYPED 6/3/48

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the 194 .

Date of issue 6th March 1948.

13/3

Signed by Mr. S.K. Iyer

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ? permitting the Govt to

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Section

File No. A 15-47

Serial No. 9

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Correspondence ending with memo dated the 18th February 1948 from the Director of Food Supplies requesting sanction for ~~extraordinary~~ payment of a ground rent of Rs 60/- per annum to Mr. K.K. Raghavendra Brahmin Valley, Mercara, Coorg for ~~continuing~~ temporary shed on his land in ~~Order thereon—No.~~ Dudlur Village near Dudlur Bridge to facilitate the quick transport of paddy from Coorg to Hassan.

Order No. S.A-6688-89

Sanctioned

5/3

In Secy to Govt Food Dept

5/3

To The Director of ~~Supplies~~ Civil Supplies & Rationing (Manager & Secy)

Copy to the Audit & Accts officer. 2.

2) Law Branch.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Correspondence ending with Memo, dated, the 18th February, 1948, from the Director of Food Supplies, requesting sanction for payment of a ground rent of Rs.60/- per annum to Sri. K.P.Rajendra Rao, Arehalu Valley, Virajpet, Coorg, for permitting the Government to put up a temporary shed on his land in Kudlur Village near Kudlur Bridge, to facilitate the quick transport of paddy from Coorg to Hassan.

Order No. F.D. 6688-89 / A 15-47-9,

Dated, Bangalore, the 6th March, 1948.

ORDERED.

G.V.K.Rao

Secretary to Government,
Food Department.

To

The Director of Food Supplies in Mysore.
" Comptroller to Government (through Fin. Sectt)

Copy to: 1) The Auditor & Secty. Officer, Food Supplies.
2) Law Branch.

F.D. 10.